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UNCLAS MANILA 001815

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SENSITIVE

STATE FOR EAP/PMBS, EAP/RSP - SU, G/TIP - NORIN, DRL

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [KWMN](#) [KCRM](#) [RP](#)

SUBJECT: NEW TIP-RELATED ARRESTS AND PROSECUTION
INSTRUCTIONS

REF: A. MANILA 1618

[B](#). MANILA 971

[C](#). STATE 61855

[1](#)1. (U) Summary. Four new TIP criminal cases are in the works, following a raid on a suspected brothel in what the National Bureau of Investigation (NBI) described as a new series of TIP-related raids. The DoJ has issued unequivocal instructions to prosecutors to give "preferential attention" to TIP cases and to reject attempts by defense attorneys to call for dismissals of cases in which the victims recant their testimony. A new USG assistance program to NBI should begin soon after the signing of a proposed LOA. End Summary.

Latest arrests and rescues

[1](#)2. (SBU) Acting on a tip, NBI agents on April 11 raided two suspected brothels, where they rescued 50 women, including 17 under-age girls. They arrested four individuals on suspicion of trafficking in persons and on April 12 turned the cases over to the Department of Justice (DoJ) for prosecution. One of the four designated TIP prosecutors is handling the case and is processing cases under the "Anti-Trafficking in Persons Act of 2003" (Republic Act 9208). DoJ has filed charges against a total of seven people, including the club owner, although three remain at large. The prosecutor will conclude the required preliminary investigation before the case can go to court.

[1](#)3. (SBU) According to NBI contacts, NBI has also obtained a search warrant for a Manila brothel wherein agents suspect TIP victims. They expect to make this raid "within days," and are seeking to undertake a new pace of two TIP-related raids per week.

Clear guidance on TIP prosecutions

[1](#)4. (U) In an effort to accelerate anti-TIP prosecutions, Secretary of Justice Raul M. Gonzalez on April 12 issued DoJ

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"Circular 18" addressed to all prosecutors, instructing that "all cases involving violations of R.A. No. 9208 shall be given preferential attention" and that all pending cases "should be resolved immediately." Gonzalez also formally ordered all prosecutors "vigorously" to oppose "and/or manifest strong objection" to any and all motions for dismissal based on lack of testimony, an unfortunately common phenomenon as victims often recant their statements due to enticements or threats from accused traffickers. According to Interagency Council Against Trafficking IACAT Secretary Robert Larga, this circular is now in the training materials for the scores of anti-TIP prosecutors that DoJ will designate in May (ref a).

Comment

[1](#)5. (SBU) The NBI's Anti-Human Trafficking Division appears to be operating with more energy and initiative, while the quick turnover of these most recent cases to the prosecutor is particularly encouraging. Once both governments sign a proposed new LOA (ref c), the USG will be able to provide \$34,930 worth of assistance to NBI to assist in its investigations and care of TIP victims, a welcome further step in USG-GRP cooperation against TIP.
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